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09/505,588	02/16/2000	Scott E. Klopfenstein	RCA89550	5988

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EXAMINER
BELIVEAU, SCOTT E

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2614	7

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/505,588	KLOPFENSTEIN, SCOTT E.	
	Examiner	Art Unit	
	Scott Beliveau	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 February 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. The proposed drawing correction filed on 19 February 2003 has been disapproved because it is not in the form of a pen-and-ink sketch showing changes in red ink or with the changes otherwise highlighted. See MPEP § 608.02(v). Applicant's amendments to Figure 1 as noted in the remarks section would appear to correct the deficiency indicated in the prior office action.

Response to Arguments

2. Applicant's arguments filed on 19 February 2003 with respect to the rejection of claims 1-17 under 35 U.S.C. 103(a) have been fully considered but they are not persuasive

In consideration of claims 1 and 12, the applicant remarks that the Newberry reference fails to "associated a program guide of said selected program guide with a broadcast channel" and interprets the reference such that Newberry is not concerned with a plurality of different program guides, as the signal sources carry "the same program channel guide information". Assuming the applicant's position, the recited limitation is still met wherein the reference explicitly teaches the receipt of different program guide types (analog, digital, information signal) over different signals may be "associated" with a broadcast channel different sources (Col 3, Lines 3-43; Col 4, Lines 49-67 – Col 5, Lines 1-2, 57-65).

The examiner, however, does not concur with the applicant's position relating to the interpretation of the cited section disclosing, "different input signals . . . any or all of which may carry the same program or channel guide information" (Col 3, Lines 44-48). The phrase

"any or all of which" does not preclude the examiner's position that the information carried over the aforementioned signals is different. Rather, as is notoriously well known in the art, the programming offerings carried over a hybrid system from the same or multiple sources do not necessarily perfectly overlap (Morrison: Col 1, Lines 52-64) and as such require the distribution of different program guide information.

3. Applicant's arguments with respect to claim 12 have been considered but are moot in view of the new ground(s) of rejection in light of applicant's amendment.

As to the applicant's remarks pertaining to claim 12, the applicant characterizes the Newberry embodiment as "look[ing] between a digital video signal, and an information signals, as well as different signal sources, to find program guide information in accordance with a signal selection priority". The applicant characterizes this as a teaching of "where to scan" but not necessarily of "what to scan for". The examiner's interpretation of the "scanning limitation" recited in the claim, however, is such that it need only require the "identification program guides available on individual channels". The Newberry reference teaches that analog video signals are "associated with" analog program guides (Col 3, Lines 29-37), digital video signals "associated with" digital program guides (Col 3, Lines 11-28), and that every broadcast channel will not necessarily carry program guide information (Col 5, Lines 56-65). Accordingly, the examiner does not feel that one of ordinary skill in the art would not recognize the "what to scan for" distinction in association with the scanning process such that when "scanning" an analog channel one would expect to find program guide information in the VBI as opposed to the PSI tables.

While it is the examiner's opinion that the language of claim 12 is broad enough to be rejected as set forth as originally presented, based on the examiner's present understanding of the present invention set forth in the interview conducted on 26 February 2002, the examiner further presents a new ground of rejection to further address the "scanning" aspect of the present invention such that each broadcaster may provide their own EPG information.

4. Applicant's arguments with respect to claims 18 and 19 have been considered but are moot in view of the new ground(s) of rejection in light of applicant's amendment.

It is noted that the applicant argues that the Newberry reference fails to show certain features of applicant's invention, however the features upon which applicant relies (i.e., that information in each program guide may vary from program type to type) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. Applicant's arguments with respect to the rejection of claims 20-22 under 35 U.S.C. 103(a) have been fully considered but they are not persuasive.

The applicant argues that the Rzeszewski et al. reference fails to show certain features of applicant's invention, however the features upon which applicant relies wherein the criteria for checking and updating a database is only performed if the association of a program guide to an individual broadcast channel is absent is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Rzeszewski et al. reference is directed towards enabling a viewer to enable/disable the storage of program guide data for a given channel. Accordingly, the recited limitation of "determining" is met in response to a "channel change command" relating to the adding/subtracting of channels for which to store information. The system "determines" if a "program guide is associated with an individual broadcast data channel" and accordingly "examines" and "acquires" program guide data on that channel if it is "absent" or not current in the case of a newly added channel.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-6, and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newberry et al. (US Pat No. 5,625,406).

In consideration of claim 1, the Newberry et al. reference discloses a hybrid analog/digital "video decoder" [10] that is operable to "acquire" different "types of program guide" information for assembly into a unified "program guide" (Col 2, Lines 8-13). The apparatus is operable to "acquire a program guide" (Col 3, Lines 3-10, 29-43) from a broadcast signal, to "select a program guide type from a plurality of different types of program guide" (Col 4, Lines 49-67 – Col 5, Lines 1-8), and to "associate" the "program guide" with a "broadcast channel" wherein a user may utilize the unified "program guide" to tune or retrieve a broadcast channel (Col 5, Lines 57-65).

As to the recited limitation regarding "updating a database", the reference discloses that the "video decoder" [10] uses RAM [36] to store channel mapping information in conjunction with the unified program guide (Col 4, Lines 46-52) which may be routinely "updated" (Col 5, Lines 2-8). A database, as defined in the Microsoft Computer Dictionary, 5th Edition, is a "file composed of records, each containing fields together with a set of operations for searching, sorting, recombining, and other functions". It is well known in the art that "program guides" may comprise a plurality of program specific tables and related records. As the instant application suggests that the "architecture" of the "video decoder" is not exclusive (Page 15, Lines 3-7), it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a "database" alternative or functionally equivalent internal memory structures in conjunction with the Newberry et al. embodiment for the purposes of facilitating "program guide" operations as is understood in the art.

Claim 12 is rejected wherein the hybrid analog/digital "video decoder" [10] is operable to "acquire packetized program information" associated with the MPEG-2 format for assembly

into a unified "program guide" (Col 2, Lines 8-13; Col 3, Lines 11-12). The method is taught to comprise the "acquisition" and "capture" program information associated with a "program guide" as is known in the art (Col 3, Lines 11-28). While the reference does not make explicit reference to "scanning through received broadcast channels to identify program guides available", the reference discloses that the means for transmitting and extracting "program guides" are well understood in the art (Col 3, Lines 21-28, 31-37). Accordingly, the method of "scanning through received broadcast channels" to acquire program guide information would have been obvious to one of ordinary skill in the art to employ for the purposes locating any available "program guide" information which may be distributed on a number of channels in conjunction with the broadcast transmission of programming.

As aforementioned, the reference teaches that a plurality of "program guides" may be transmitted (Col 3, Lines 44-48). Subsequently, the reference further discloses the step of "selecting an identified program guide" wherein the microprocessor may "select" between available "program guides" in conjunction with the assembly of a unified program guide (Col 4, Lines 49-67 – Col 5, Lines 1-8).

Claim 2 is rejected wherein it is taught that the "acquired program guide" may comprise digital video signals with "packetized program information" such as that associated with the MPEG-2 standard (Col 3, Lines 3-28). The "acquired program guide" may be further utilized for capturing "packetized program information" associated with a program selected via the guide as is understood in the art (Col 5, Lines 57-65).

Claim 3 is rejected wherein it is well known in the art for program guide information to comprise a "list of available programs and broadcast display times" (Col 1, Lines 28-39).

Claims 4-5 and 14 are rejected wherein it is taught that the embodiment may utilize analog or digital "program guides types" (Col 3, Lines 44-48). The analog "program guide types" may be transmitted in a "vertical blanking interval" (Col 3, Lines 30-37) and the digital "program specific information" may be transmitted via the "PSI" tables or other manners supported by MPEG-2 standards such as the "ATSC PSIP format" (Col 3, Lines 3-28).

Claim 6 is rejected wherein the MPEG2 standard as cited by the applicant outlines that the "program specific information" or PSI tables include "program map information" (a) through the PMT tables and "program association information" (b) through the PAT table.

In consideration of claim 10, the reference discloses that any or all of different input signals to the "video decoder" [10] may carry the same "program guide" information (Col 3, Lines 44-48). The reference teaches that the means for transmitting and extracting "program guides" are well understood in the art (Col 3, Lines 21-28, 31-37). Accordingly, while the reference does not explicitly recite the method of "automatically scanning received channels" to acquire "program guides", it would have been obvious to one of ordinary skill in the art to employ such a method for the purposes locating any available "program guide" information which may be distributed in conjunction with the broadcast transmission of programming.

Claim 11 is rejected wherein the "data from at least one program guide" may be implicitly used to "update said acquired program guide of the selected program guide type" so as to ensure that the user is presented with current program guide information for upcoming programming (Col 4, Lines 2-8).

Claim 13 is rejected wherein the embodiment implicitly "examines data received on an individual broadcast to identify available program guides of different types" or versions which are subsequently "acquired" and "used" to "update said selected program guide associated with said broadcast channel" in conjunction with the process of ensuring that the program guide information presented to the user contains current program guide information relating current and future programming (Col 4, Lines 2-8).

Claims 15 and 16 are rejected wherein once the "data" has been extracted, it is "examined to identify program guides of particular type in a predetermined order". The "video decoder" [10] is operable to develop a unified program guide interface based on predetermined selection priority wherein a "digitally coded program guide" is given priority over an "analog data program guide" (Col 4, Lines 49-67 – Col 5, Lines 1-8).

Claim 17 is rejected wherein the "video decoder" [10] is operable to develop a unified "program guide" using information from a "selected program guide" (ex. analog, digital, information service) that is associated with a "corresponding individual broadcast channel" (Col 4, Lines 49-67 – Col 5, Lines 1-8). The unified "program guide" is subsequently operable for the "identification and use of" for "acquiring said individual broadcast channel (Col 5, Lines 57-65).

9. Claims 12-19 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Newberry et al. (US Pat No. 5,625,406), in view of Kim et al. (US Pat No. 6,405,372).

In consideration of claim 12, the Newberry et al. reference discloses a hybrid analog/digital "video decoder" [10] that is operable to "acquire packetized program information" associated with the MPEG-2 format for assembly into a unified "program

guide" (Col 2, Lines 8-13; Col 3, Lines 11-12). The method is taught to comprise the "acquisition" and "capture" program information associated with a "program guide" as is known in the art (Col 3, Lines 11-28) and is further operable to "capture packetized program information" using "said program guide" such that a viewer may use the guide in order to tune to a channel (Col 5, Lines 56-65). While the reference does not make explicit reference to "scanning through received broadcast channels to identify program guides available", the reference discloses that the means for transmitting and extracting "program guides" are well understood in the art (Col 3, Lines 21-28, 31-37).

The Kim et al. reference discloses a method for "acquiring packetized program information" including "program guide information". The reference discloses that it is operable to "scan through received broadcast channels" using a second tuner in order "to identify program guides on available individual channels" and to "select" and "acquire" the information for each "individual broadcast channels" (Col 3, Lines 29-67). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize "scanning" techniques such as those disclosed by Kim et al. in conjunction with the Newberry et al. embodiment for the purpose of providing a means by which a user may retrieve updated EPG information for channels other than those currently selected should each broadcast station transmit its own EPG information (Kim et al.: Col 1, Lines 37-60).

Claim 13 is rejected wherein the embodiment implicitly "examines data received on an individual broadcast to identify available program guides of different types" or versions which are subsequently "acquired" and "used" to "update said selected program guide associated with said broadcast channel" in conjunction with the process of ensuring that the

program guide information presented to the user contains current program guide information relating current and future programming (Col 4, Lines 2-8).

Claim 14 is rejected wherein Newberry et al. embodiment may utilize analog or digital "program guides types" (Col 3, Lines 44-48). The analog "program guide types" may be transmitted in a "vertical blanking interval" (Col 3, Lines 30-37) and the digital "program specific information" may be transmitted via the "PSI" tables or other manners supported by MPEG-2 standards such as the "ATSC PSIP format" (Col 3, Lines 3-28).

Claims 15-16 are rejected wherein the Newberry et al. reference discloses that once the "data" has been extracted, it is further "examined to identify program guides of particular type in a predetermined order". The "video decoder" [10] is operable to develop a unified program guide interface based on predetermined selection priority wherein a "digitally coded program guide" is given priority over an "analog data program guide" (Col 4, Lines 49-67 – Col 5, Lines 1-8).

Claim 17 is rejected wherein the "video decoder" [10] is operable to develop a unified "program guide" using information from a "selected program guide" (ex. analog, digital, information service) that is associated with a "corresponding individual broadcast channel" (Col 4, Lines 49-67 – Col 5, Lines 1-8). The unified "program guide" is subsequently operable for the "identification and use of" for "acquiring said individual broadcast channel (Col 5, Lines 57-65).

In consideration of claim 18, the Newberry et al. reference discloses a hybrid analog/digital "video decoder" [10]. The "video decoder" [10] is operable to "acquire" MPEG-2 "packetized program information comprising a program conveyed on one of a

plurality of broadcast channels" via a selector/tuner [12] which may "tune to receive an individual broadcast" and "examine" the data for the "availability" of "program guide information (Col 3, Lines 3-5, 16-25). The "video decoder" [10] is further operable to "acquire" and "capture" program information associated with the various "program guides" that are further associated with "associated with said individual broadcast channel" which may be available (Col 3, Lines 11-28, 44-48) and to "select an available program guide of a specific type" (analog, digital, information signal) in conjunction with the assembly of a unified program guide (Col 4, Lines 49-67 – Col 5, Lines 1-8). Using the unified program guide, the "video decoder" [10] may further capture MPEG-2 "packetized program information" as selected by a viewer (Col 3, Lines 3-28; Col 5, Lines 57-65).

Assuming arguendo regarding the broad interpretation of the newly added limitation wherein "said program guide is associated with said individual broadcast channel" such that analog channels are "associated with" distributed analog guide, the examiner relies on the teachings of the Kim et al. reference. The aforementioned Newberry et al. reference does not preclude that the aforementioned program guide information by be distributed on multiple channels. The Kim et al. reference explicitly teaches that an acquired program guide may be "associated with" an "individual broadcast channel" (Col 1, Lines 43-45). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention for each broadcast station to transmit its own EPG in conjunction with the Newberry et al. program guide distribution means for the purpose of immediately updating the EPG information about all the channels with the latest correct information (Kim et al.: Col 1,

Lines 61-65). A collection of broadcasters utilizing a centralized EPG distribution may be limited as to the frequency with which programming/scheduling changes may be transmitted.

Claims 19 is rejected wherein the Newberry et al. reference teaches that the "data" associated with the "program guide" is "examined" to determine its "type" such that a unified program guide may be assembled according to the predetermined selection priority (Col 4, Lines 49-67 – Col 5, Lines 1-8).

10. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newberry et al. (US Pat No. 5,625,406), in view of Schneidewend et al. (US Pat No. 6,249,320). While Newberry et al. reference does not explicitly disclose that "said broadcast channel comprises a physical transmission channel" the use of a PTC is notoriously well known in the art. The Schneidewend et al. reference teaches a method for displaying and processing an "acquired program guide" that "links" physical transmission channels (PTCs) with "sub-channels" and further allocates individual program channels with a both "first and second identification number" such that the "captured packetized program information" may be used to "acquire" sub-channel programming through an exemplary EPG illustrated in Figure 12 (Col 4, Lines 31-57; Col 6, Lines 21-49; Col 12, Lines 8-34). The Schneidewend et al. further teaches that the embodiment may be utilized in conjunction with non-MPEG compatible systems involving other types of encoded data streams and other method of conveying program specific information (Col 3, Lines 5-16). Accordingly, it would have been obvious to one of ordinary skill in the art to utilize the hierarchical EPG channel grouping teachings of the Schneidewend et al. reference in conjunction with the hybrid transmission techniques of the Newberry et al. embodiment for the purpose of enabling broadcasters to effectively convey

channel information in view of the creation of sub-channels (Schneidewend et al.: Col 1, Lines 38-63).

11. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newberry et al. (US Pat No. 5,625,406), in view of Rzeszewski et al. (US Pat No. 5,699,125).

In consideration of claim 20, the Newberry et al. "video decoder" [10] is operable to "examine" and "acquire" available program guide information. The Newberry et al. reference, however does not explicitly disclose the technique of "determining from a decoder database if a program guide is associated with a particular channel, in response to a user channel change command". The Rzeszewski et al. teaches a method and device for receiving and storing EPG information in a "database" based on user designated criteria (Col 1, Lines 57-67). The apparatus subsequently "determines" if the automatically or manually tuned channel has a "program guide associated" with it and subsequently updated/stores this information based on the user designated criteria (Col 2, Lines 21-48; Figure 3; Col 5, Lines 30-45). Accordingly, it would have been obvious of ordinary skill in the art at the time of the invention to utilize the EPG storage criteria teachings in conjunction with the Newberry et al. "video decoder" [10] for the purpose of reducing the memory burden associated with the storage of program guide information that is not desired by the user (Rzeszewski et al: Col 23-48).

Claim 21 is rejected as the Newberry et al. reference discloses that that the "acquired program guide" may be utilized in capturing "packetized program information" associated with the MPEG-2 standard in conjunction with a selected program (Col 3, Lines 3-28; Col 5, Lines 57-65).

Claim 22 is rejected as aforementioned wherein the Newberry et al. reference teaches that the "data" associated with the "program guide" is "examined" to determine its "type" such that a unified program guide may be assembled according to the predetermined selection priority (Col 4, Lines 49-67 – Col 5, Lines 1-8).

12. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Newberry et al. (US Pat No. 5,625,406), in view of Rzeszewski et al. (US Pat No. 5,699,125), and in further view of Lanyon et al. (EP 0849947). While the Rzeszewski et al. reference teaches the storage of program guide information in a "database" based on user selection criteria, it does not explicitly disclose that command to "add" a channel to the list of select channels will trigger the automatic storage of the "program guide" information for that particular channel. The Lanyon et al. reference suggests that the retrieval of EPG information may be triggered via a "determined command signal" (Col 8, Lines 12-19). Accordingly, it would have been obvious to one of ordinary skill in the art to at the time of the invention to use a "determined command signal" such as a "add" command to trigger the storage of "program guide" information for that particular channel for the purposes of ensuring that the database contains the current information for the user designated channels.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Ko (US Pat No. 6,486,925) reference discloses a channel managing apparatus and method for a digital analog TV, such that a channel managing apparatus extracts channel information corresponding to a channel selected by a user.
- The Eyer (US Pat No. 6,483,547) reference discloses a method and system for accurately and unambiguously identifying an analog television signal received via a terrestrial broadcast.
- The Cuccia (US Pat No. 6,337,719) reference discloses a method for scanning through channels to retrieve program guide information.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 703-305-4907. The examiner can normally be reached on Monday-Friday from 8:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

SEB
March 6, 2003

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600